Subchapter F, Chapter 223, Transportation Code prescribes the process by which the Texas Department of Transportation (department) may enter into a design-build contract with a private entity that provides for the design, construction, expansion, extension, related capital maintenance, rehabilitation, alteration, or repair of a highway project. Planning and development of State Highway 99 (Grand Parkway), a proposed outer circumferential highway traversing seven counties and serving the Houston area has been underway since the 1980s. During that time, the department and the counties in which the highway is proposed to be located have been proceeding with the development of the Grand Parkway from SH 146 in Galveston County to SH 146 in Chambers County.

In accordance with the requirements of former Section 228.0111 of the Transportation Code and the policies included in Minute Order 111410, the department and the counties in which the Grand Parkway is located entered into a Market Valuation Waiver Agreement, effective March 25, 2009, in which the parties agreed on the terms and conditions for the development, construction, and operation of the Grand Parkway, agreed to waive the development of a market valuation of the Grand Parkway, and agreed to certain other provisions applicable to the development, construction, and operation of the Grand Parkway. Each of the counties subsequently elected to exercise its option to develop, construct, and operate the portion of the Grand Parkway located within the territory of the county.

By resolution and order adopted on July 13, 2010, Chambers County withdrew its previous election to exercise that option, effectively choosing to not exercise its option, and providing for the reversion to the department of the right to develop, construct, and operate that portion of the Grand Parkway. In Minute Order 112528, the Texas Transportation Commission (commission) approved the department's determination to exercise its option to develop, finance, construct, and operate the portion of the Grand Parkway in Chambers County.

On January 11, 2011, the Harris County Commissioners Court rescinded its September 15, 2009 action to exercise the county's option, effectively choosing to not exercise its option, and providing for the reversion to the department of the right to develop, construct, and operate that portion of the Grand Parkway. In Minute Order 112558, the commission approved the department's determination to exercise its option to develop, finance, construct, and operate the portion of the Grand Parkway in Harris County.

On June 20, 2011, the Montgomery County Commissioners Court rescinded its September 14, 2009 action to exercise the county's option, effectively choosing to not exercise its option, and providing for the reversion to the department of the right to develop, construct, and operate that portion of the Grand Parkway. In Minute Order 112725, the commission approved the department's determination to exercise its option to develop, finance, construct, and operate the portion of the Grand Parkway in Montgomery County.

On December 18, 2012, the Liberty County Commissioners Court elected to rescind the County's previous exercise of its option to develop, construct, and operate the portion of the Grand Parkway located within the county. The Liberty County Commissioners Court further elected, pursuant to Transportation Code, §373.055, to waive and decline to exercise the county's option to develop, construct, finance, and operate the portion of the Grand Parkway project located in the county. In Minute Order 113429, the commission approved the department's determination to exercise its option to develop, finance, construct, and operate the portion of the Grand Parkway in Liberty County.

On July 25, 2013, by Minute Order 113649, the commission authorized the department to issue a request for qualifications (RFQ) for the development, design, construction, and potential finance, maintenance, and operation of Grand Parkway Segments H, I-1, and all or part of I-2 in Harris, Liberty, Montgomery, and Chambers counties pursuant to a comprehensive development agreement.
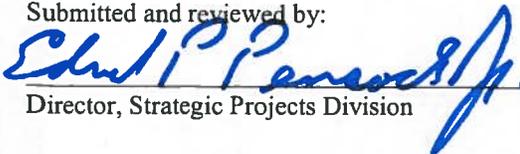
Currently, there exists the potential for expediting the development and completion of all or part of the Grand Parkway through the use of innovative methods for the development and construction of a project available in a design-build contract.

Transportation Code, §223.245 prescribes requirements for the procurement of a project to be developed under a design-build contract, and requires the department to publish a notice advertising the issuance of a request for qualifications in the *Texas Register* and on the department's internet website that includes the criteria that will be used to evaluate qualification statements, the relative weight given to the criteria, and the deadline by which qualification statements must be received.
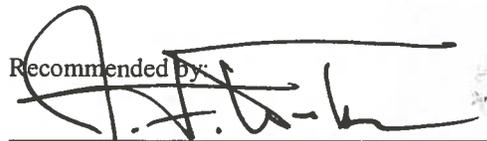
Development of the Grand Parkway is a crucial element to responding to growing traffic congestion throughout the Houston metropolitan area. The planned improvements will provide increased capacity by creating a circumferential route that relieves traffic congestion and facilitates the efficient movement of people and goods within the developing communities of the Houston metro core.

IT IS THEREFORE ORDERED that the department is authorized to publish in the *Texas Register* and to post on the department's internet website, a request for qualifications to develop, design, construct, and potentially maintain Grand Parkway Segments H, I-1, and all or part of I-2 in Harris, Liberty, Montgomery, and Chambers counties pursuant to a design-build contract.

Submitted and reviewed by:

_____
Director, Strategic Projects Division

Recommended By:

_____
Executive Director

113979 JUN 26 14

Minute	Date
Number	Passed

Exhibit A
SH 99 Grand Parkway Segments H, I-1 & I-2

SH 99: Grand Parkway
Segments:
H, I-1 and I-2